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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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10 LAWRENCE L. CRAWFORD, et al.,) C 08-5291 MMC(PR)
11 Petitioners,) **ORDER OF TRANSFER**
12 vs.)
13 STATE OF NEW JERSEY, et al.,)
14 Respondents.)
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16 On November 19, 2008, petitioner Lawrence L. Crawford, a South Carolina prisoner
17 confined at the Lieber Correctional Institution in Ridgeville, South Carolina, and proceeding
18 pro se, filed the above-titled petition for a writ of habeas corpus pursuant to 28 U.S.C. §
19 2254. Petitioner challenges the validity of all convictions obtained in the thirty-three states
20 that adopt, by way of their state constitutions, the use of an indictment. He seeks to pursue
21 habeas relief on behalf of himself and more than forty other South Carolina prisoners, as well
22 as all California prisoners who have been convicted pursuant to an indictment.


23 Pursuant to 28 U.S.C. § 2241(d), venue for a habeas action is proper in either the
24 district of confinement or the district of conviction. See 28 U.S.C. § 2241(d). Here,
25 petitioner's conviction for murder was obtained in the Court of General Sessions for
26 Kershaw County, South Carolina. Additionally, petitioner is confined in Ridgeville, South
27 Carolina. Consequently, venue is proper in the District of South Carolina, not the Northern
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1 District of California. See 28 U.S.C. § 121. Such venue considerations apply equally to any
2 putative class member convicted and confined in South Carolina. Moreover, petitioner's
3 conclusory allegation that he is pursuing this action on behalf of all California prisoners
4 convicted pursuant to indictment does not suffice to establish venue in the Northern District.¹

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6 When venue is improper, the district court has the discretion to either dismiss the
7 action or transfer it "in the interest of justice." See 28 U.S.C. § 1406(a). Accordingly, in the
8 interest of justice, the above-titled action is hereby TRANSFERRED to the district of
9 conviction, the United States District Court for the District of South Carolina.

10 IT IS SO ORDERED.

11 DATED: December 4, 2008

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13 MAXINE M. CHESNEY
United States District Judge

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¹The Court notes that a search of the U.S. Party/Case Index federal computer database shows that petitioner has filed cases similar or identical to the instant action in several district courts in states other than South Carolina, purporting to bring class actions on behalf of all prisoners in those states who have been convicted pursuant to an indictment.